

MEMORANDUM

Not On
Agenda Item No. 2 (M)

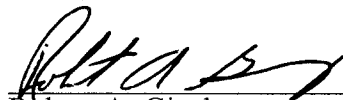
TO: Hon. Chairperson and Members
Board of County Commissioners

DATE: May 13, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance relating to zoning
regulation of special business
districts

The accompanying ordinance was prepared and placed on the agenda at the request of Senator Javier D. Souto.


Robert A. Ginsburg
County Attorney

RAG/bw



MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: May 13, 2003

FROM: Steve Shiver
County Manager

SUBJECT: Ordinance relating to zoning;
regulation of special business
districts

The proposed ordinance relating to regulating special business districts will have no fiscal impact on Miami-Dade County.



MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: March 11, 2003

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- ☐ "4-Day Rule" (Applicable if raised)
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of private business sector impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ "Sunset" provision required
- ☐ Legislative findings necessary

Approved _____ Mayor

Agenda Item No. _____

Veto _____

Override _____

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING REGULATION OF SPECIAL BUSINESS DISTRICTS; AMENDING SECTION 33-253 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO EXPAND PERMISSIBLE USES WITHIN BU-2 ZONE TO INCLUDE HOSPITALS UNDER CERTAIN CONDITIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 33-253 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Article XXVI. BU-2, Special Business District.

* * *

Sec. 33-253. Uses Permitted.

* * *

>>2.1 Hospitals (not animal hospitals), subject to the following conditions:

- (a) That such uses shall be on sites of at least ten (10) net acres;
- (b) That the facility have at least two hundred and fifty (250) beds but no more than five hundred (500) beds.

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

- (c) That such use shall be located no less than five (5) miles from any other such facility. For the purposes of this subsection, the distance shall be measured by following a straight line from the front door of the proposed facility to the nearest property line of an existing hospital. For the purpose of establishing the distance between such facilities, the applicant for the proposal shall furnish a certified sketch of survey from a registered engineer or surveyor. In case of dispute, the measurement scaled by the director shall govern.
- (d) That the hospital maintains in force a certificate of use for such use on the property.
- (e) That the hospital operates a 24 hour emergency room.
- (f) Notwithstanding the provisions of Section 33-253.3 of this Code, the net lot coverage permitted for all buildings on the site shall not exceed 50% of the total lot area; the floor area ratio shall be fifty one-hundredths (0.50) at one (1) story and shall be increased by fourteen-one hundredths (0.14) for each additional story up to eight (8) stories, and thereafter the floor area ratio shall be increased by six-one-hundredths (0.06) for each additional story. Structured parking shall not count as part of the floor area, but shall be counted in computing building height and number of stories. Enclosed or nonenclosed mall areas shall not count as part of the floor area, for floor area ratio computation purposes, nor as part of the lot coverage.
- (g) Notwithstanding the provisions of Section 33-253.4 of this Code, the minimum landscaped open space at one (1) story shall be fourteen percent (14%).

The minimum landscaped open space shall be increased by one (1) percent for each additional story or part thereof, up to eight (8) stories, thereafter the landscaped open space shall increase by two (2) percent for each additional story or part thereof. For the purpose of computing the amount of required landscaped space where the building

height varies, the number of stories shall be equal to the sum of the products of the number of stories of each part of the building(s) of a different height times its floor area divided by the sum of the floor area of all parts of the building(s). Said open space shall be extensively landscaped with grass, trees and shrubbery. Water areas may be used as part of the required landscaped open space provided such water areas do not exceed twenty (20) percent of the required landscaped open space. The specific areas within enclosed or nonenclosed malls which are landscaped with grass, trees and/or shrubbery, water areas therein, and areas therein with permanent art display may be used as part of the required landscaped open space provided such areas do not exceed ten (10) percent of the required landscaped open space. Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.

- (h) That such uses shall be located on sites having frontage on a major access road, including major roadways (three (3) or more lanes) and/or frontage roadways serving limited access highways and expressways.
- (i) The site shall meet and comply with the provisions of Section 33-253.7 of this Code, except that the wall may be penetrated at points approved by the Directors of the Planning and Zoning Department and the Public Works Department for ingress and egress, and (i) if the property where the facility is located is separated from the AU, GU, RU or EU zoned property by a canal or a previously existing, dedicated and improved roadway, then a wall shall not be required on that portion of the property which is separated by the canal or roadway; or (ii) if portions of the property serving the facility which are not separated from the AU, GU, RU or EU property by a canal or existing, dedicated and improved roadway have no improvements, then the required wall may have a minimum opening necessary to afford pedestrian or vehicular access between the sites.<<

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

RA6

Prepared by:

JAC

Joni Armstrong Coffey

Sponsored by Sen. Javier D. Souto